

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF MISSISSIPPI  
EASTERN DIVISION**

**AMBER C. PEE**

**PLAINTIFF**

**VS.**

**CIVIL ACTION NO. 1:09CV44-DAS**

**MICHAEL J. ASTRUE,  
Commissioner of Social Security**

**DEFENDANT**

**FINAL JUDGMENT**

During a hearing held before the undersigned United States Magistrate Judge on March 10, 2010, the court determined that this case should be remanded to the Commissioner of Social Security for additional proceedings. Specifically, the court found that the ALJ failed to properly consider the findings and opinion of the claimant's treating psychiatrist, Dr. Robert Hardy. Therefore, this case shall be remanded to the Commissioner with instructions to refer the matter to a new ALJ for proper consideration of Dr. Hardy's medical reports and opinion along with the rest of the evidence of record. The new ALJ shall conduct any additional proceedings not inconsistent with this order.

The parties, having consented to entry of final judgment by the United States Magistrate Judge under the provisions of 28 U.S.C. § 636(c), with any appeal to the Court of Appeals for the Fifth Circuit,

**IT IS, THEREFORE, ORDERED AND ADJUDGED:**

That this case is hereby **REMANDED** to the Commissioner for further proceedings as set out above.

**THIS**, 11<sup>th</sup> day of March, 2010.

/s/ David A. Sanders  
U. S. MAGISTRATE JUDGE